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1745
PATENT
0992-0127P

IN THE U.S. PATENT AND TRADEMARK OFFICE



Applicant: Yuji SAWADA et al. Conf.: 4536
Appl. No.: 10/069,001 Group: 1745
Filed: February 20, 2002 Examiner: ALEJANDRO
For: LAMINATE, PROCESS FOR PRODUCING IT AND
USE THEREOF

LARGE ENTITY TRANSMITTAL FORM

NOV 20 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reply to Restriction and Election of Species Requirement in the above-identified application.


- ☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- ☐ Petition for _____ () month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.
- ☒ No fee is required.
- ☐ A check in the amount of \$0.00 is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

Appl. No. 10/069,001

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Marc S. Weiner, #32,181

MSW/sh
0992-0127P

P.O. Box 747
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Attachment(s)

(Rev. 09/30/03)



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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Mr. Yuji SAWADA et al. Conf.: 4536
Appl. No.: 10/069,001 Group: 1745
Filed: February 20, 2002 Examiner: Alejandro
For: LAMINATE, PROCESS FOR PRODUCING IT AND
USE THEREOF

REPLY TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOV 20 2003

Sir:

In response to the Restriction and Election of Species Requirements mailed October 24, 2003, the following remarks are respectfully submitted in connection with the above-identified application.

REMARKS

Requirement for Restriction

Restriction to one of the following inventions has been required by the Examiner under 35 U.S.C. 121 and 372:

Group I: Claims 1-9, 14 and 16 drawn to laminates to be served as a seal and/or seal films;

Group II: Claims 10-13, drawn to a process for producing laminates;

Group III: Claims 15 and 17, drawn to secondary batteries; and

Group IV: Claims 18-24, drawn to a flexible package.

The requirement for restriction is respectfully traversed. Reconsideration and withdrawal thereof are requested.

In order to be responsive to the requirement for restriction, Applicants elect the invention of Group I: claims 1-9, 14 and 16 drawn to laminates to be served as a seal and/or seal films, with traverse, in order to initiate prosecution in the present application.

Group II should be rejoined with the elected invention of Group I upon allowance of the elected invention. See MPEP §821.04 entitled "Rejoinder". Contrary to the position taken by the Examiner, the elected invention and the uses recited in Groups III

and IV have the same technical feature, that is, the elected laminate. Thus, the requirement for restriction should be withdrawn by the Examiner.

Election of Species Requirement

Applicant is required by the Examiner to elect a single species to which the claims shall be restricted if no generic claim is finally held allowable. In response, Applicants elect Species 1: no layer of a primer coating formed (*that is, the layer of an adhesive resin formed over the surface treated layer*). Claims 1, 3, 5-10, 12, 14-18 and 20-24 are readable on the elected species.

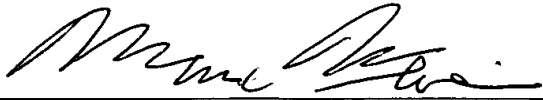
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17;
particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Marc S. Weiner, #32,181

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